

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL BELL TELEPHONE COMPANY'S ) CASE NO. 89-076  
EXPERIMENTAL INCENTIVE REGULATION PLAN )

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed June 8, 1990, pursuant to 807 KAR 5:001, Section 7, for confidential protection of its 1990 Forecast of Investment Usage Report (FCC Report 495A, Table I, Columns e-h) and the 1989 Actual Usage of Investment Report (FCC Report 495B, Table V, Columns d-f) on the grounds that disclosure of the information would cause South Central Bell competitive injury and it appearing to this Commission as follows:

The documents South Central Bell seeks to protect are filed with the Commission as part of the monitoring process that results from the Commission's approval of incentive regulation in Case No. 10105.<sup>1</sup> The information is not known outside of South Central Bell, is not disseminated within South Central Bell except to those employees who have a legitimate business need to know and act upon the information, and South Central Bell seeks to protect the information through all appropriate means.

---

<sup>1</sup> Case No. 10105, Investigation of the Kentucky Intrastate Rates of South Central Bell Telephone Company.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

The information sought to be protected was developed by assumptions and analyses that are unique to South Central Bell. If publicly disclosed, competitors could use the information to determine projected growth trends, strategic plans for specific services, and geographic areas ripe for expansion. Thus, disclosure would result in competitive injury to South Central Bell and the information should be protected.

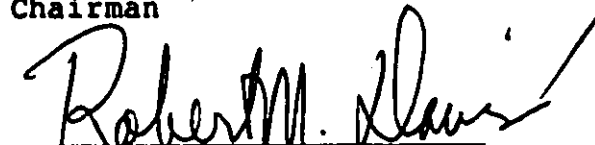
This Commission being otherwise sufficiently advised,

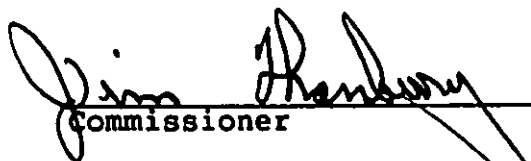
IT IS ORDERED that the 1990 Forecast of Investment Usage Report (FCC Report 495A, Table I, columns e-h) and the 1989 Actual Usage of Investment Report (FCC Report 495B, Table V, Columns d-f) filed by South Central Bell as part of the monitoring process, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 28th day of June, 1990.

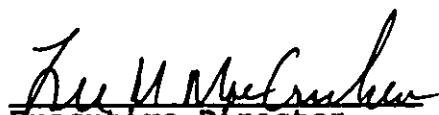
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director